

March 7, 2025

Via ECF

The Honorable Stewart D. Aaron
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007

Re: NCR Corporation v. B.A.T Industries p.l.c., No. 23-cv-01172-JPC-SDA

Dear Judge Aaron:

In accordance with the Case Management Plan (Dkt. 47) and the Court's January 3, 2025 Order (Dkt. 61), the parties write jointly to provide an update on the status of discovery.

As set forth in the parties' January 3, 2025 status letter (Dkt. 60), the parties exchanged discovery requests and responses and began producing documents in November and December 2024. BAT has made three document productions totaling 743 documents and expects to make an additional production shortly totaling approximately 40,000 documents, pending confirmation that a third-party has no objections to such production (confirmation BAT has already sought). NCR has made five productions totaling 19,950 documents. The parties exchanged proposed search parameters to guide the discovery process on February 12, 2025. The parties have exchanged several letters and have met and conferred three times regarding the scope of written discovery. The parties will continue to work to resolve or narrow any disputes before presenting them to the Court.

Fact discovery is scheduled to close on July 11, 2025. The parties are available at the Court's convenience to discuss any issues.

Respectfully submitted,

/s/ Zachary Payne
Zachary Payne

Counsel for Plaintiff NCR Voyix Corporation

/s/ Dennis H. Tracey III
Dennis H. Tracey III

Counsel for Defendant B.A.T Industries p.l.c.